



Journal of Contemporary Social Science and Education Studies

E-ISSN: 2775-8774


Vol 4, Issue 2 (2024)

Doi: 10.5281/zenodo.13365997

**THE INTERNALIZATION OF THE *SUMPAH RABBANI*
ELEMENTS FORMATION OF THE MALAYSIAN COMMUNITY
INTEGRATION FOUNDATION**

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Article Info	ABSTRACT
<p>Article history: Received: 21 June 2024 Revised: 14 July 2024 Accepted: 25 August 2024 Published: 1 Sept 2024</p> <p>Keywords: Perlembagaan Malaysia, Federal Constitution, <i>Sumpah Rabbani</i></p> <p></p>	<p>Article 37 of the Perlembagaan Malaysia states that the Yang di-Pertuan Agong must take and sign the oath of office before performing his functions. The oath taken by the leader as stipulated in the Federal Constitution is made to ensure the effective implementation of unity within society. This study aims to discuss the elements of the oath as the foundation for establishing integration within Malaysian society, which comprises various ethnic groups. The study's methodology uses a descriptive design and adopts a qualitative content analysis approach by examining relevant documents such as journals, books, and so on. The study's findings indicate that the sacred oath of the Yang di-Pertuan Agong is closely related to several traditional elements that form the foundation of integration within Malaysian society, namely Islam as the religion of the Federation (Article 3), the Royal Institution as the head of the Islamic faith, Malay as the national language, and the special rights of the Malays and Bumiputera. Therefore, the oath taken must be understood as a foundation for societal unity in Malaysia.</p>

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INTRODUCTION

Malaysia is a country composed of various ethnic groups. The diversity of ethnicities within the society gives rise to different cultures or ways of life among them. These differences require a strong foundation to foster unity and ensure harmony within the country. This is crucial for ensuring stability and peace among the communities in Malaysia, to propel the nation toward progress in line with current developments. Among the elements rooted in tradition and embedded within the Malaysian Constitution are those that touch on religion, the special position of the Malays, the Malay language, and the status of the rulers. The element that binds these traditional elements together is the oath taken by the Yang di-Pertuan Agong, referred to as an oath in the Federal Constitution. This oath has come to be known as the "*Sumpah Rabbani*" when it is associated with the oath that invokes the name of Allah in the constitution, using the phrases '*Wallahi, Wabillahi, Watallahi.*' Therefore, this study will examine the relationship of this oath with traditional elements and how it plays a central role in forming the foundation of integration within Malaysian society.

LITERATURE REVIEW

Meaning And Concept of The Constitution

The constitution is a document that contains all the arrangements of rules and fundamental laws deemed essential for the governance and administration of a country. It plays a crucial role in determining the scope of governance, forming a government, and protecting citizens' rights. Additionally, the constitution, as the fundamental law of the land, helps define how a country's governance is executed. It also outlines the powers possessed by various members of the state, the rights of the governed, and the relationship between the rulers and the ruled (Mohd Syariefudin Abdullah, Mohamad Kamal Kamaruddin, Ahmad Sohaimi Lazim, 2009).

According to Md. Bohari Ahmad, the constitution is a document containing all the fundamental laws of a country, and if it cannot be fulfilled, then the constitution is meaningless (Mohd Syariefudin Abdullah et al., 2009). Hashim Yeop Sani (1983) opines that the constitution not only involves matters concerning governmental affairs, democratic frameworks, and the protection of citizens' rights but is also a document containing specific fundamental provisions reflecting a genuine sense of goodwill, its pure acceptance, and mutual understanding among its people (Nazri Muslim, et al. 2011). Mohd Ashraf Ibrahim et al. (2018) and Nazri Muslim (2011) elaborate on Wheare K.C.'s view regarding the constitution as a collection of laws, institutions, and customs derived from established thoughts that shape the general system. It is used to depict the entire governance system of a country, a set of rules that establish and control a government. This system plays a role in forming, regulating, or governing a country's administration.

The constitution is also translated as a charter or document containing all the highest laws crucial for the establishment and existence of a country and its political system. The national constitution also serves as the primary law in establishing all laws within a country. It functions as the main legal pillar, influencing other laws (Nazri Muslim, 2011). Thus, it impacts federal or state laws on certain matters if such laws contradict the Malaysian Constitution, as they can be declared invalid to the extent of their contradiction. This is because the constitution explicitly provides in Article 4(1) that the Federal Constitution is the supreme law of the federation, and any law passed that is contrary to this constitution is void to the extent of the contradiction. This is referred to as the "supremacy of the constitution" (Shamsul Amri Baharuddin, 2007). Mohd Syariefudin Abdullah, Mohamad Kamal Kamaruddin, and Ahmad Sohaimi Lazim (2009) mention Professor Dicey's view on constitutional law. According to him, constitutional law contains only two principles:

- a) The principle of parliamentary sovereignty
- b) The principle of law

Thus, every country needs a constitution to ensure political stability and to assist in the efficient and fair administration of the country. The necessity of a constitution is especially clear for countries with multi-ethnic populations like Malaysia. This is because the constitution helps establish a political, economic, and social

framework that can facilitate national unity and development while protecting the interests of all ethnic groups (Shamsul Amri Baharuddin, 2007).

The Constitution as a Foundation of Integration

Before understanding the constitution as a foundation of integration, the meanings of "foundation" and "integration" should be clarified. The word 'foundation' refers to the basis, mark, effect, and symbol. The term "integration" refers to the merging of two or more ethnic groups or elements (parts, etc.) into a single entity. Therefore, integration means merging to become a unity. Hence, the foundation of integration can be defined as the basis that serves as a sign or symbol of ethnic unity in this country (Siti Zaharah Setapa, 2022). According to Ateerah Abdul Razak et al. (2021), the foundation of integration is an abstract and real space to provide an opportunity for various societal groups with different religious, ethnic, and political beliefs to meet and reach a consensus peacefully without bloodshed.

Among the foundations of integration that serve as meeting points for various groups and are more fundamental in integrating diverse communities involve the role of the Government. The Government plays a significant role in enacting laws or regulations to provide a foundation for integration, allowing citizens to resolve existing issues (Ateerah Abdul Razak et al., 2021). The main law serving as a foundation of integration in Malaysia is the Federal Constitution. According to Prof Dr. Mansor Mohd Noor (2018), the Federal Constitution is upheld as a guide to peaceful and unified nation-building. This is because the Federal Constitution contains four pillars known as the constitution's cornerstones: the Monarchical Institution, Islam, the Malay Language, and the special position of the Malays. These pillars symbolize unity, the supremacy of the constitution within the principles of the Rukun Negara, and act as agents of unity among the various ethnic groups in the country.

Other examples of significant content in the constitution essential for creating unity in a pluralistic society include Article 8 of the Federal Constitution, which guarantees equal rights (Azhar Abdul Aziz et al., 2020). This is crucial in preventing discrimination and injustice toward citizens, including regarding religion, race, ancestry, and gender. This demonstrates the Federal Constitution's crucial role in establishing consensus and understanding among the various ethnic groups living in this country.

Traditional Elements in the Constitution as the Constitution's Pillars

Several traditional elements serve as the pillars of the Constitution. These traditional elements also form a specific identity for this sovereign nation. These elements are prerequisites for the consensus and understanding accepted by both Malays and non-Malays, helping the Malaysian society to unite in elevating the country's stature on the global stage. The four traditional elements are as follows (Mohd Ashraf Ibrahim et al., 2017):

(a) The Monarchical Institution

The Monarchical Institution is a traditional element adopted before the arrival of colonizers, where the Malay states practiced a monarchical system, and the king held absolute power in all matters of state governance and administration (Mohd Ashraf Ibrahim et al., 2017). After independence, the monarchical system was retained according to constitutional principles in line with the parliamentary democracy system known as the Constitutional Monarchy. In the Federal Constitution, Article 32 establishes the position of the Yang di-Pertuan Agong, elected every five years from among the Malay rulers. However, the Yang di-Pertuan Agong and the Malay rulers no longer have absolute power, as their powers are limited by the constitution. They only fulfill symbolic functions within the parliamentary democracy system practiced in Malaysia. Nonetheless, every matter that the government wishes to implement must receive the consent of the Council of Rulers, including matters concerning the sovereignty of the Malay rulers, the position of the Malays, and other sensitive issues within the constitution (Mohd Syariefudin Abdullah et al., 2009).

(b) Religion of Islam

Islam has been the religion of the Malays for over 500 years and remains strongly adhered to, even after the Malay Peninsula was colonized by three foreign powers: the Portuguese, the Dutch, and the British. Even during

colonization, the position of Islam was not disrupted, and all affairs were left to the Malay rulers, even though the British managed to secure the right to advise the rulers in all governance matters. After independence, the position of Islam continued to be preserved, and Article 3 of the Federal Constitution states that Islam is the official religion of the Malaysian Federation. The acceptance of Islam as the official religion of the Federation allows the Federal or State Government to establish, maintain, and support Islamic organizations, such as providing funds for religious events (Zaid Ahmad et al., 2006; Mohd Syariefuddin Abdullah et al., 2009). Article 3 of the Malaysian Constitution is balanced with Article 11 (Azhar Abdul Aziz et al., 2021), which states:

- (i) Every person has the right to profess and practice their religion and, subject to Clause 4, to propagate it.
- (ii) No person shall be compelled to pay any tax the proceeds of which are allocated in whole or in part for a religion other than their own.

(c) The Malay Language

The Malay language has been the lingua franca of the Malay Archipelago for centuries and has been widely used in administration, foreign relations, and trade between Europeans and the Malay Archipelago, as well as being a language of knowledge (Mohd Syariefuddin et al., 2009). The special provision included in the Constitution regarding the Malay language has alleviated the concerns of Malay intellectuals about the gradual erosion of the Malay language since the arrival of Western colonizers. The Malay language is designated as the national language of the Federation under Article 152 (1):

“The national language shall be the Malay language and shall remain so as provided by Parliament. Provision (a) no person shall be prohibited from using (except for official purposes), or from teaching or learning any other language, and (b) nothing in this clause shall prejudice the right of the Federal Government or any State Government to preserve and sustain the use and study of the language of any other community.”

The goal of having Malay as the national language is to unite the various ethnic groups toward forming a unified nation through a common language used by all segments of society (Zaid Ahmad et al., 2006).

(d) The Special Position of the Malays

The special position granted to the Malays is seen as a form of compensation for their agreement to the relaxed citizenship terms provided to non-Malays. This privilege is intended to ensure that the Malays can attain economic wealth in their land, which has long been dominated by non-Malays. The provision of this special privilege is aimed at reducing or eliminating economic disparities, which also represent racial disparities. If the special rights of the Malays were to be abolished, it could jeopardize racial harmony and national stability (Mohd Syariefuddin Abdullah et al., 2009). Under Article 153 of the Federal Constitution, the Yang di-Pertuan Agong is responsible for safeguarding the special position of the Malays and the indigenous peoples of Sabah and Sarawak, as well as the legitimate interests of other communities (Zaid Ahmad et al., 2006).

Oath of Office in the Federal Constitution by the Yang di-Pertuan Agong

The Malaysian Constitution mandates an oath of office for positions covered by the Federal Constitution, ranging from the highest office in the Federation, the Yang di-Pertuan Agong, to members of Parliament and judges. The procedure for these oaths is outlined in the Constitution. Article 37 of the Malaysian Constitution stipulates that the Yang di-Pertuan Agong must take and sign an oath of office before exercising his functions. This oath, specified in Part I of the Fourth Schedule, must be recited and signed in the presence of the Conference of Rulers and with the attendance of the Chief Justice of the Federal Court (or, in his absence, the next most senior Federal Court judge present); and the oath must be witnessed by two individuals appointed by the Conference of Rulers. Similarly, the Deputy Yang di-Pertuan Agong, besides his role in convening meetings of the Conference of Rulers, must also take and sign an oath of office as outlined in Part II of the Fourth Schedule before the Conference of Rulers and with the attendance of the Chief Justice of the Federal Court (or the next most senior Federal Court judge present). Both oaths are also translated into English and stated in Part III of the Fourth Schedule (Laws of Malaysia, 1998). The oath is recited with the words "*Wallahi, Wabillahi, Watallahi,*" signifying that the Yang di-Pertuan Agong is constitutionally required to swear by the sacred name of Allah to

always act justly in governance, uphold the rule of law according to the Constitution, and always protect the sovereignty of Islam.

METHODOLOGY

The research methodology is qualitative, employing content analysis as the method of analysis. The qualitative approach is used to address research questions that are more exploratory and complex. Data is obtained from secondary sources through a library-based method, involving a comprehensive review of articles and previous research, and is subsequently analyzed descriptively. This study utilizes secondary data. Secondary data refers to data collected and analyzed by other individuals or organizations for specific purposes, which is then used by other researchers to answer different research questions. The process of analyzing the research findings is based on data obtained from previous studies that align with the research themes and are adapted to fit the established research objectives. The data collected in qualitative research is descriptive, requiring different data analysis methods compared to quantitative approaches. Therefore, this study also employs content analysis through secondary sources by examining related writings such as journals, books related to the Constitution, and so on. The materials obtained are then analyzed through textual analysis to examine the topics discussed in the writings.

RESEARCH FINDINGS AND DISCUSSIONS

The Role of the Sumpah Rabbani as the Foundation for Building Integration

The oath is a crucial element for the Yang di-Pertuan Agong in exercising the powers conferred by the Malay Rulers. The authority as the supreme head of the Federation can only be exercised after the Agong takes the oath and signs the official letter of appointment as provided under Article 37 of the Federal Constitution (Wan Ahmad Fauzi Wan Husain, 2021). The Rabbani Oath is a term associated with the oath that invokes the name of Allah. According to Dato' Hj Mahamad Naser Disa, a Professor in Industry, Faculty of Law & International Relations at UniSZA, the oath of the Yang di-Pertuan Agong as enshrined in the constitution does not specifically use the term Rabbani Oath. However, it is known as the Rabbani Oath because the oath mentioned in the Federal Constitution includes the phrases "Wallahi, Wabillahi, Watallahi."

The use of these terms signifies that the Yang di-Pertuan Agong is required by the Constitution to take an oath in the name of Allah (Rabbani Oath). The purpose of this oath in Allah's name is to ensure that the supreme head of the Federation governs justly, upholds the sovereignty of the law according to the Constitution, and preserves the sovereignty of Islam at all times (Hj Mahamad Naser Disa, 2022; Streamed live on Aug 26, 2022, USRAH NURANI - Sharing stories and lessons on the topic "Merdeka: Sumpah Rabbani" https://youtu.be/jXjuGrHsY_w).

The oath taken by the supreme head of the Federation, the Yang di-Pertuan Agong, is of great importance because it interconnects with traditional elements that serve as the pillars of the Malaysian Federal Constitution. It is crucial in fostering unity in a multi-ethnic society in Malaysia and serves as a foundation for integration. The Yang di-Pertuan Agong's oath under Article 37 is as follows: "We solemnly and sincerely pledge to uphold at all times the religion of Islam and to stand firmly on just and peaceful governance in the state."

Some manifestations of traditional elements within the *Sumpah Rabbani* include:

a) **The Yang di-Pertuan Agong as the Supreme Head of the Federation**

The oath invoking the name of Allah must be taken before the Yang di-Pertuan Agong can carry out duties as the supreme head of the Federation. According to Article 32 of the Federal Constitution, the Yang di-Pertuan Agong is the supreme head of the Federation, selected from among the nine Malay Rulers according to Part I and III of the Third Schedule, on a rotational basis for a term of five years. As the supreme head of the Federation,

the Agong and his consort, the Raja Permaisuri Agong, are given precedence over all other persons in the Federation.

Article 32 is also related to Article 3 - Islam is the religion of the Federation - which mandates that the Yang di-Pertuan Agong be chosen from among the Malay Rulers. According to Article 160(2) of the Federal Constitution, a Malay is defined as a person who professes the religion of Islam, speaks Malay, and practices Malay customs (Mohd Ashraf Ibrahim et al., 2017). The constitution of each Malay State also requires that a ruler be a Muslim. Therefore, a non-Muslim can't be chosen as the Yang di-Pertuan Agong under the current constitutional principles. The Yang di-Pertuan Agong is also the head of Islam for states without a ruler, apart from his state, and is required to take an oath to preserve the religion of Islam before assuming office (Wan Ahmad Fauzi Wan Husain, 2021).

b) Islam as the Religion of the Federation

Article 3(1) of the Federal Constitution explicitly declares that Islam is the religion of the Federation. This provision signifies the close relationship between the Yang di-Pertuan Agong as the supreme head of the Federation, who is chosen from among the Malay race and practices Islam. The allowance for other religions to be practiced peacefully throughout the Federation, subject to conditions under Article 11 of the Federal Constitution, indicates that our constitutional system accepts a multi-religious society under an Islamic government (Wan Ahmad Fauzi Wan Husain, 2021). The oath mentioned in the Constitution, which includes the phrases "Wallahi, Wabillahi, Watallahi," shows that the oath is taken in the name of the God of the Federation's religion, Islam. The oath also states that the leader will uphold the religion of Islam and implement just and peaceful governance in the state.

c) Special Rights of the Malay and Bumiputra

The supreme head of the Federation, who is chosen from among the Malay Rulers and practices Islam, is one aspect related to the special rights of the Malay race. Furthermore, Islam and the Malay Rulers' Institution are core elements of the Malay identity, the indigenous race of the Malay Peninsula. The term Malay in the Federal Constitution of Malaysia is defined in Article 160(2) as a person who professes the religion of Islam, speaks Malay, and practices Malay customs. This clearly shows that all traditional elements—the Royal Institution, Islam, the Malay race, and the Malay language—are closely interconnected. Therefore, the oath taken by the Yang di-Pertuan Agong, who is of Malay descent and practices Islam, represents a privilege held by the Malay race to be the supreme head of the Constitution and the leader of Islam.

d) The Malay Language

The Malay language is closely related to the identity of the Malay people and has been widely used for generations. As one of the traditional elements linked to the Royal Institution and the Malay race, it has been established as the national language, as stated in Article 152, which designates Malay as the national language. However, this provision also protects other languages and stipulates that no one shall be prohibited or prevented from using (other than for official purposes), teaching, or learning other languages. Leaders recognized the need for a national language as a medium of communication or the common spoken and official language of the country to unify the multi-ethnic population. The Malay language also serves as a symbol of unity and identity for all races in the country, in line with the principle of "Language is the soul of the nation" (Nazri Muslim, 2011).

CONCLUSION AND RECOMMENDATION

The appreciation of the *Sumpah Rabbani* should be viewed as encompassing the four traditional elements: the Royal Institution, Islam, the Malay Race, and the Malay Language, which serve as the pillars of the constitution in understanding the role of the oath as a fundamental basis for forming integration within Malaysian society. This foundation for integration can shape the basic structure of the Federal Constitution. Thus, the basic structure of the Federal Constitution is grounded in the

principle of sovereignty, centered on the oath of the Yang di-Pertuan Agong, along with elements that are interrelated with the provisions contained within the Federal Constitution.

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